

AMENDED IN SENATE AUGUST 22, 2008
AMENDED IN SENATE AUGUST 18, 2008
AMENDED IN SENATE AUGUST 13, 2008
AMENDED IN SENATE AUGUST 6, 2008
AMENDED IN SENATE JULY 2, 2008
AMENDED IN SENATE MAY 6, 2008
AMENDED IN SENATE SEPTEMBER 7, 2007
AMENDED IN SENATE JULY 3, 2007
AMENDED IN SENATE JUNE 18, 2007
AMENDED IN ASSEMBLY APRIL 10, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1725

**Introduced by Assembly Members Lieu and Davis
(Coauthor: Assembly Member Hayashi)**

March 6, 2007

An act to ~~amend Section 12011.5 of~~ *add Section 12011.6 to* the Government Code, relating to judicial appointments.

LEGISLATIVE COUNSEL'S DIGEST

AB 1725, as amended, Lieu. Evaluation of judicial appointments.

Existing law requires the Governor to submit the names of all potential appointees or nominees for a judicial office to a designated agency of the State Bar of California for evaluation of the qualifications of those

appointees or nominees. Within 90 days of submission by the Governor, the State Bar is required to report its recommendation regarding the candidate, as specified. Existing law authorizes the State Bar, if the Governor has appointed a person to a trial court who has been found not qualified by the designated agency, to make this fact public after due notice to the appointee of its intention to do so.

This bill would provide that any State Bar recommendation reported to the Governor shall be null and void 3 years after the date of the report. The bill would require the Governor to resubmit the name of a candidate to the designated agency of the State Bar for a new evaluation and recommendation if the candidate remains under consideration for judicial appointment. ~~Upon Commencing January 1, 2009, upon~~ the appointment of a person to a trial court by the Governor, the bill would require the State Bar to make public that person's rating as either "qualified" or "not qualified," as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12011.6 is added to the Government Code,
2 to read:
3 12011.6. (a) Any State Bar recommendation reported to the
4 Governor pursuant to Section 12011.5 shall be null and void three
5 years after the date of the report. The Governor shall resubmit the
6 name of a candidate to the designated agency of the State Bar for
7 a new evaluation and recommendation if the candidate remains
8 under consideration for judicial appointment. This subdivision
9 shall apply to any State Bar recommendation reported to the
10 Governor pursuant to Section 12011.5, before, on, or after January
11 1, 2009.
12 (b) Commencing January 1, 2009, notwithstanding subdivision
13 (g) of Section 12011.5 upon the appointment of a person to a trial
14 court by the Governor, the State Bar shall make public that
15 person's rating as either "qualified" or "not qualified," as
16 reported by the designated agency of the State Bar, but that
17 disclosure shall not constitute a waiver of privilege or breach of
18 confidentiality with respect to communications of or to the State
19 Bar concerning the qualifications of the appointee. For purposes
20 of this subdivision, the State Bar shall disclose the appointee's

1 rating as “qualified” if the person’s rating as reported by the
2 designated agency of the State Bar to the Governor is “qualified,”
3 “well-qualified,” or “exceptionally well-qualified.”
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6 **All matter omitted in this version of the bill**
7 **appears in the bill as amended in the**
8 **Senate, August 18, 2008 (JR11)**
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